

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**55.00**

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/921,819        |
| Filing Date          | August 3, 2001    |
| First Named Inventor | Buehler, et al.   |
| Examiner Name        | Wehbe, Anne Marie |
| Art Unit             | 1632              |
| Attorney Docket No.  | 39691-0005A       |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

08-1641 (39691-0005A)

HELLER EHRMAN WHITE & McAULIFFE LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |  | Extra Claims |   | Fee from below |  | Fee Paid |  |
|--------------------|--|--------------|---|----------------|--|----------|--|
| Total Claims       |  | -20** =      | X |                |  |          |  |
| Independent Claims |  | -3** =       | X |                |  |          |  |
| Multiple Dependent |  |              |   |                |  |          |  |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     | 55.00    |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**55.00**

## SUBMITTED BY

|                   |              |                                   |              |           |                |
|-------------------|--------------|-----------------------------------|--------------|-----------|----------------|
| Name (Print/Type) | Daphne Reddy | Registration No. (Attorney/Agent) | 53,507       | Telephone | (650) 324-7000 |
| Signature         | Daphne Reddy | Date                              | May 14, 2004 |           |                |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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05-17-04

1632

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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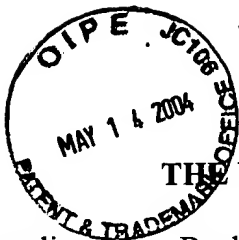
|  |                             |                               |             |
|--|-----------------------------|-------------------------------|-------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | <b>Application Number</b>   | 09/921,819                    |             |
|  | <b>Filing Date</b>          | August 3, 2001                |             |
|  | <b>First Named Inventor</b> | Buelow, et al.                |             |
|  | <b>Group/Art Unit</b>       | 1632                          |             |
|  | <b>Examiner Name</b>        | Wehbe, Anne Marie             |             |
| <b>Total Number of Pages in This Submission</b>  |                             | <b>Attorney Docket Number</b> | 39691-0005A |

| ENCLOSURES (check all that apply)  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Version with Markings Showing Changes<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request (one-month)<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):<br>stamped return postcard |
| <b>Remarks</b><br><br><b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Atty. Docket No. .</b>  |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT |  |                         |       |
|---|--|-------------------------|-------|
| <b>Firm or Individual name</b>            | Daphne Reddy, Reg. No. 53,507, HELLER EHRMAN WHITE & McAULIFFE LLP |                         |       |
| <b>Signature</b>                          | <i>Daphne Reddy</i>  |                         |       |
| <b>Date</b>                               | May 14, 2004   | <b>Customer Number:</b> | 25213 |

| CERTIFICATE OF EXPRESS MAILING   |                      |             |              |
|--|----------------------|-------------|--------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 |                      |             |              |
| Express Mail Label EL 977 677 747 US   |                      |             |              |
| <b>Typed or printed name</b>   | Cheryl Rogers        |             |              |
| <b>Signature</b>   | <i>Cheryl Rogers</i> | <b>Date</b> | May 14, 2004 |

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buelow, et al. Attorney Docket #: 39691-0005A  
Serial No. 09/921,819 Group Art Unit 1632  
Filing Date 08/03/2001 Examiner: Wehbe, Anne Marie  
Title: **PRODUCTION OF HUMANIZED ANTIBODIES IN TRANSGENIC ANIMALS**

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

**MS: AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on January 14, 2004, in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed with a one-month extension of time.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on May 14, 2004 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EL 977 677 747US** addressed to: Mail Stop: **AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 14, 2004

*Cheryl Ann Rogers*  
Cheryl Ann Rogers

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